

MAY-15-2006 15:55 FROM:

8475760721

TO:USPTO

P.9/10

Appl. No. 10/674,137  
Amdt. Dated May 15, 2006Docket No. CM01111S  
Customer No. 22817REMARKS/ARGUMENTS

Claims 1-2, 7-9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luschi, et al. (US 2003/0045288) in view of Dicker, et al. (USPN 6,975,603). Claims 3-6, 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants appreciate that the Examiner has indicated that Claims 3-6 and 10-12 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As such, Independent Claim 1 has been amended to include the limitations of allowable Claim 3, and Claim 3 has been cancelled. Further, independent Claim 8 has been amended to include the limitations of allowable Claim 10, and Claim 10 has been cancelled. Further, independent Claim 13 has been amended to include the limitations that the Examiner has indicated as allowable in Claims 3 and 10. As such, Applicants pray that the Examiner will indicate the allowability of Claim 13.

Applicants have added two new claims dependent upon the newly amended independent Claims 1 and 8. Since a corresponding number of claims, namely Claims 3 and 10, have been cancelled, Applicants pray that these claims are in allowable condition.

Applicants have reviewed the Luschi reference for a reference to the RD-LAP protocol which is a required limitation of Claim 7 and found that the Luschi reference does not teach or suggest a limitation, as stated by the Examiner in the Office Action dated 29 December 2005, page 4. In contrast, Luschi describes high speed packet access (HSPA) which as is known to one of ordinary skill in the art is not RD-LAP.

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Appl. No. 10/674,137  
Amdt. Dated May 15, 2006Docket No. CM011119  
Customer No. 22917

Applicants pray that the Examiner has mistakenly misinterpreted the Luschi reference and request the allowability of Claim 7.

Applicants believe that all the claims are now in condition for allowance, in addition to the allowable claims and pray that an early notice of allowance will issue.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.  
1303 East Algonquin Road  
IL01/3<sup>rd</sup> Floor  
Schaumburg, IL 60196  
Customer Number: 22917

By: 

Indira Saladi  
Attorney of Record  
Reg. No.: 45,759

Telephone: 847-576-6735  
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Attachments

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Appl. No. 10/674,137  
Amdt. Dated May 16, 2006Docket No. CM01111S  
Customer No. 22917**REMARKS/ARGUMENTS**

Claims 1-2, 7-9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luschi, et al. (US 2003/0045288) in view of Dicker, et al. (USPN 6,975,603). Claims 3-6, 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants appreciate that the Examiner has indicated that Claims 3-6 and 10-12 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As such, independent Claim 1 has been amended to include the limitations of allowable Claim 3, and Claim 3 has been cancelled. Further, independent Claim 8 has been amended to include the limitations of allowable Claim 10, and Claim 10 has been cancelled. Further, independent Claim 13 has been amended to include the limitations that the Examiner has indicated as allowable in Claims 3 and 10. As such, Applicants pray that the Examiner will indicate the allowability of Claim 13.

Applicants have added two new claims dependent upon the newly amended independent Claims 1 and 8. Since a corresponding number of claims, namely Claims 3 and 10, have been cancelled, Applicants pray that these claims are in allowable condition.

Applicants have reviewed the Luschi reference for a reference to the RD-LAP protocol which is a required limitation of Claim 7 and found that the Luschi reference does not teach or suggest a limitation, as stated by the Examiner in the Office Action dated 29 December 2005, page 4. In contrast, Luschi describes high speed packet access (HSPA) which as is known to one of ordinary skill in the art is not RD-LAP.

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Amdt. Dated May 15, 2006

Docket No. CM01111S  
Customer No. 22917

Applicants pray that the Examiner has mistakenly misinterpreted the Luschi reference and request the allowability of Claim 7.

Applicants believe that all the claims are now in condition for allowance, in addition to the allowable claims and pray that an early notice of allowance will issue.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

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